

**United States District Court**  
**FOR THE EASTERN DISTRICT OF TEXAS**  
**SHERMAN DIVISION**

**MISTY GAYLE HART-BEVAN,**

**Plaintiff,**

**v.**

**KILOLO KIJAKAZI,**  
*Acting Commissioner of Social Security,*

**Defendant.**

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**Civil Action No. 4:21-cv-145-ALM-KPJ**

**MEMORANDUM ADOPTING REPORT AND**  
**RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**


Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On May 1, 2023, the Magistrate Judge entered proposed findings of fact and recommendations (Dkt. #35) that Plaintiff Misty Gayle Hart-Bevan's Motion for Attorney Fees pursuant to the Equal Access to Justice Act ("the EAJA Motion") (Dkt. #29) be granted.

Having received the Report of the United States Magistrate Judge, and no timely objections being filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court. Accordingly, the EAJA Motion (Dkt. #29) is **GRANTED**.

**IT IS ORDERED** that Plaintiff is awarded attorney fees under the EAJA in the amount of **\$16,836.29**. This award shall be made payable to Plaintiff and sent to Plaintiff's counsel, Paul Burkhalter. *See Astrue v. Ratliff*, 560 U.S. 586, 593 (2010) (EAJA fees are paid to the prevailing party, not the attorney).

**IT IS SO ORDERED.**

**SIGNED this 22nd day of May, 2023.**

  
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AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE